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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,677	08/07/2003	Yoshiharu Komatsu	Q76889	1774
23373 7590 12/27/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER SHAN, APRIL YING	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 12/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/635,677

Applicant(s)

KOMATSU, YOSHIHARU

Examiner

April Y. Shan

Art Unit

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In any event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN 03 MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) ~~the date~~ in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL -324).  
5. ☒ Applicant's reply has overcome the following rejection(s): 101 rejection to claims 1-24 and 112 1<sup>st</sup> rejection to claims 1-48.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_  
Claim(s) objected to: \_\_\_\_\_  
Claim(s) rejected: 1-72.  
Claim(s) withdrawn from consideration: \_\_\_\_\_

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See attached.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_

***Response to Arguments***

Applicant's arguments filed on 12/3/2007 have been respectfully and fully considered. Some of the arguments are persuasive and some are not.

Applicant's arguments are summarized as:

- a. Withdrawal of 112/101 rejection
- b. Prior art of record does not teach first/second/second combination device identification information obtaining step and determining step for determining whether the second device identification information matches cryptographic key
- c. Prior art of record does not teach generating connection route information module

In response to argument 'a', Applicant's arguments are persuasive on traversing 112 1st rejection to claims 1-48 and 101 rejection to claims 1-24. Therefore, the examiner withdraws 112 1<sup>st</sup> rejection to claims 1-48 and 101 rejection to claims 1-24. However, the examiner maintains 112 1<sup>st</sup> rejection to claims 49-72 and 112 2<sup>nd</sup> rejection to claims 1-72 and respectfully traverses Applicant's argument. First, The program is stored is different from the program is stored on a computer readable medium. The examiner's position is that "a computer readable medium" is not disclosed/suggested in the original disclosure and clearly, it is a new matter and 112 1<sup>st</sup> rejection to claims 49-72 is maintained. Further, on age 9, lines 11-12 and in fig. 1 of the original disclosure, there is no

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support the program is stored on a computer readable medium. Second, claims 1-72 are indefinite and narrative. For example, in claim 1, "...the device identification information of a prescribed external device" is not clearly defined. Is it meant the device identification information of a first external device or a different device? Though the Applicant explained it is a reference device and then is this reference device refers to the first external device or a different device? In claim 2, "a determining module for whether a second device... via the interface to the electric apparatus...". Is "the interface" referring "an interface for connecting a first external to the electric apparatus"? Are these interfaces same interfaces or different interfaces? It appears to the examiner that they are two different interfaces since an interface is for connecting a first external device not for connecting a second external device. Then using "via the interface" is not clear and misleading. Again, the examiner respectfully requests the Applicant to fix any 112 2<sup>nd</sup> problems in claims 1-72. Further, the Applicant is respectfully reminded that the Applicant uses intended use language in the claims.

In response to argument "b", the examiner respectfully traverses. It appears that the Applicant is not interpreting the previous office action as intended by the examiner. Firstly, in figure 1, AAPA discloses two external devices 20 and 30 connected via the interface to a body of a computer 10. Also in paragraph 0009, AAPA discloses "A computer system consists of a body 10 of a computer, and two or more peripheral devices (it is two on a drawing) 20 and 30. The body of a computer has the ID comparator 13 which compares with ID

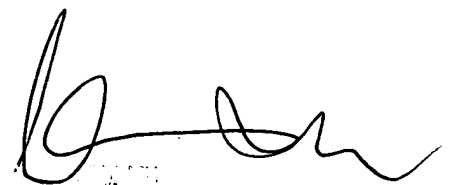
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of the body 10 of a computer and ID of peripheral devices 20 and 30...and the nonvolatile memory 12 for registering the identification number (ID) of the body of a computer, and the peripheral-device...which has the function to judge authorization or the disapproval of use of a peripheral device according to the comparison result of the ID comparator 13. The nonvolatile memory for registering ID is prepared in both peripheral devices 20 and 30." Further, paragraph [0010] of AAPA, it discloses "...The delimiter (ID) is registered also into both peripheral devices 20 and 30 by nonvolatile memory, respectively, as input unit is accomplished and delimiter "BBB" is recorded on the peripheral device 30 for another side where delimiter "AAA" is constituted by the peripheral device 20 as a mouse, respectively." In the par. [0010] of the Applicant's original disclosure, the Applicant agrees with the examiner by disclosing that AAPA teaches "a computer and peripheral devices are provided...for registering . identification numbers...When one peripheral device...the computer obtains a registration number from the connected peripheral device, and determines whether or not the registration number matches that of the computer..."

Peripheral devices 20 and 30 is a either a first device or a second device and they are both connected to computer 10 and therefore, either one of/both of the devices identification information is obtained and determined. Therefore, the prior art discloses first/second device /second combination of device identification information obtaining step and determining step for determining whether the second device identification information matches cryptographic key.

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In response to argument 'c', the examiner respectfully traverses. In the abstract of Bajikar, it discloses "a plurality of Bluetooth Access Points (BTAPs)..and sends location information of a designated BTAP...via the designated BTAP and wherein said attribute information of SD is captured by the BTAPs and registered in a database of Said security server and wherein said security server obtains the unique device identification...and the last known location of SD from the BTAP that said secured device (SD) connected with. Please note a plurality of Bluetooth Access Points is multiple interfaces. Also, in the paragraph [0013] - [0014] and fig. 2 of the AAPA, it discloses "Following on step S8, the existence of connection of a peripheral device is checked (step S9), and it is confirmed about one of the peripheral devices with which connection was checked whether the ID is registered (step S10)....connection authorization of the peripheral device concerned is registered into the peripheral-device initial entry Records Department (step S13)...the purport whose connection of the peripheral device concerned is disapproval is registered...". Therefore, the prior art of record does disclose generating connection route information module.

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